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Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) CASE NO. CV 20-02013 KAW
14 Plaintiff,) NOTICE OF PENDENCY OF ACTION
15 v.) (LIS PENDENS) AS TO REAL PROPERTY AND
16 ONE PARCEL OF REAL ESTATE) IMPROVEMENTS LOCATED AT 9414 PLAZA
17 PROPERTY LOCATED AT 9414 PLAZA) POINT DRIVE, MISSOURI CITY, TEXAS, 77459
18 POINT DRIVE, MISSOURI CITY, TEXAS,) (APN R464607)
19 77459,,) Owners of Record: Rowland Marcus Andrade,
Defendant.) Soimaz Andrade

20 NOTICE IS HEREBY GIVEN that an action has been commenced in the above-entitled Court
21 pursuant to a Verified Complaint for Civil Forfeiture *In Rem*, a copy of which is attached hereto as
22 Exhibit A, filed by the United States of America on March 23, 2020, to secure judicial forfeiture of real
23 property and improvements located at 9414 Plaza Point Drive, Missouri City, Texas, 77459, (APN
24 R464607) situated in Fort Bend County, State of Texas and further described in Exhibit B, which is
25 attached hereto.

26 //

27 //

28 Notice of Lis Pendens at 9414 Plaza Point Dr.
CV 20-02013 KAW

1 The Verified Complaint for Civil Forfeiture *In Rem* alleges that the real property located at 9414
2 Plaza Point Drive, Missouri City, Texas, 77459 is subject to forfeiture to the United States of America
3 pursuant to 21 U.S.C. § 881(a)(6).

4 The owners of record to the said real property are Rowland Andrade and Soimaz Andrade,
5 husband and wife.

6 DATED: 03/31/2020

Respectfully submitted,

7 DAVID L. ANDERSON
8 United States Attorney

9 /s/ Chris Kaltsas
10 CHRIS KALTSAS
11 Assistant United States Attorney
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that she caused a copy of

- Notice of Pendency of Action (Lis Pendens) as to Real Property and Improvements located at 9414 Plaza Point Drive, Missouri City, Texas, 77459

to be served this date via certified mail delivery and first class mail delivery upon the person(s) below at the place(s) and address(es) which is the last known address(es):

Rowland Andrade
9414 Plaza Point Drive
Missouri City, Texas, 77459

Soimaz Andrade
9414 Plaza Point Drive
Missouri City, Texas, 77459

Marcus Andrade
9414 Plaza Point Drive
Missouri City, Texas, 77459

Recovco Mortgage Management, LLC dba
Sprout Mortgage
4600 Fuller Drive, Suite 350
Irving, TX 75038

Jerrell G. Clay
1600 Highway 6, Suite 400
Sugarland, TX 77478
(713) 705-4220

Sienna Plantation Residential Association
9600 Scanlan Trace, Missouri City, TX 77459

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed this 1st day of April, 2020, at San Francisco, California

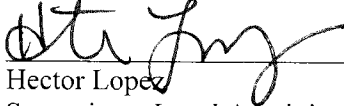

Hector Lopez
Supervisory Legal Administrative Specialist
United States Attorneys' Office

EXHIBIT A

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1 DAVID L. ANDERSON (CABN 149604)
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9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 ONE PARCEL OF REAL PROPERTY)
18 LOCATED AT 9414 PLAZA POINT DRIVE,)
19 MISSOURI CITY, TEXAS, 77459,)
20 Defendant.)
21

) CASE NO.

) **VERIFIED COMPLAINT FOR CIVIL**
) **FORFEITURE *IN REM***

22
23 The United States of America, by its attorneys, David L. Anderson, United States Attorney, and
24 Chris Kaltsas, Assistant United States Attorney for the Northern District of California, brings this
25 complaint and alleges as follows:

26 **NATURE OF THE ACTION**

27 1. This is a judicial forfeiture action *in rem*, as authorized by Title 18, United States Code,
28 Section 981; and Title 18, United States Code, Section 1343.

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2. This Court has jurisdiction under Title 18, United States Code, Section 981 and Title 28, United States Code, Sections 1345 and 1355, as the defendant real property constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1343, or a conspiracy to commit such an offense. Title 18, United States Code, Section 1343 is incorporated into Title 18, United States Code, Section 981 via Title 18, United States Code, Sections 1956(c)(7) and 1961(1).

3. This action is timely filed in accordance with Title 18, United States Code, Section 983 and Supplemental Rule G of the Federal Rules of Civil Procedure.

4. Venue is proper because the acts and/or omissions giving rise to forfeiture occurred in the Northern District of California. See Title 28, United States Code, Section 1355(b)(1)(A).

5. Intra-district venue is proper in the San Francisco division within the Northern District of California.

PARTIES

6. Plaintiff is the United States of America.

7. The defendant property is one (1) parcel of real property located at the address commonly known as 9414 Plaza Point Drive, Missouri City, Texas, 77459 ("the RESIDENCE"). This address is associated with assessor's parcel number ("APN") 8136910010080907. The property's owners include Rowland Marcus Andrade ("ANDRADE") and his wife, Soimaz Andrade.

FACTS

8. ANDRADE and his close associates, including individual J.D., engaged in a scheme to defraud wherein ANDRADE and his associates stated that ANDRADE and his company, National AtenCoin Foundation (“NAC”) were working on a new cryptocurrency, at various times called AtenCoin, AML Bitcoin, and ABTC. According to statements made by ANDRADE and his associates, the new cryptocurrency would operate using various biometric verification mechanisms to render the cryptocurrency compliant with anti-money laundering regulations, “know your customer” regulations, and various rules governing the financial industry set forth in the PATRIOT Act.

9. ANDRADE, J.D., and ANDRADE's associates induced numerous individuals to invest into the cryptocurrency through materially false and misleading statements regarding the status of the development of the cryptocurrency and the use of funds raised from investors. Investors were also told

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1 false statements regarding business arrangements that ANDRADE and his associates had purportedly
 2 made with government agencies and ports, falsely leading investors to believe ANDRADE's and his
 3 associates' statements about the prospects of the AML Bitcoin cryptocurrency.

4 10. In 2018, J.D. convinced an individual ("VICTIM ONE") to invest in the cryptocurrency
 5 project and to purchase so-called tokens that would be redeemable for the cryptocurrency AML Bitcoin
 6 at a later date. J.D. met with VICTIM ONE and discussed the cryptocurrency in person and via telephone
 7 and email. Between January 12 and January 29, 2018, VICTIM ONE wired over \$1,000,000 from a
 8 personal bank account into an account J.D. controlled held at JP Morgan Chase Bank, with an account
 9 number ending in 8602 (the "BBC" account). VICTIM ONE wired money from their personal account to
 10 the BBC account in the following transactions:

Item	Date	Amount
1	1/12/2018	\$120,000.00
2	1/12/2018	\$730,000.00
3	1/23/2018	\$150,000.00
4	1/25/2018	\$67,500.00
5	1/29/2018	\$37,500.00
Total Sent:		\$1,105,000.00

11. VICTIM ONE invested based on information provided and statements made by J.D.,
 including that the cryptocurrency was under development; that millions of tokens representing the
 cryptocurrency had been successfully sold; and that his funds would be used to further the development
 of the cryptocurrency. ANDRADE also falsely promised VICTIM ONE, among other investors, on
 numerous occasions that the launch of the cryptocurrency was months away, notwithstanding that at the
 time of the statements development were minimal and not progressing.

12. After J.D. obtained funds from VICTIM ONE, he transferred those funds to another bank
 account held by a third party who acted at the direction of ANDRADE at JP Morgan Chase Bank, bearing

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1 an account number ending in 7620 (“the DSA account”). Those funds eventually transferred to an account
2 labeled as belonging to NAC Payroll Services Inc. (the “payroll services account”), over which
3 ANDRADE held signatory authority. VICTIM ONE also made deposits directly into the NAC’s “payroll
4 services account.”

5 13. VICTIM ONE’s investments are traceable to later transfers of funds from the NAC payroll
6 services account to a bank account labeled as the “Fintech Fund” account at Wells Fargo Bank, bearing
7 an account number ending in 9668 (“the Fintech Fund account”).

8 14. ANDRADE, who was the sole signatory for the Fintech Fund account, further transferred
9 VICTIM ONE’s funds, among others, to a bank account he held in his personal name at Woodforest
10 National Bank, bearing an account number ending in 0910 (“the Woodforest ANDRADE account”). On
11 April 11, 2018, ANDRADE purchased cashier’s check for \$226,150.90, payable to Nueces Title; and on
12 May 10, 2018, ANDRADE purchased cashier’s check for \$730,538.89, payable to First American Title
13 Company. Both checks were funded from the Woodforest ANDRADE account.

14 15. On May 10, 2018, ANDRADE and his wife purchased the RESIDENCE from a Texas
15 homebuilding firm. ANDRADE paid over \$747,000 for the home, primarily using the \$730,538.89
16 cashier’s check from Woodforest National Bank dated May 10, 2018. These funds are traceable to the
17 proceeds of the cryptocurrency investment scheme described above, including the funds of VICTIM ONE.

18 16. To date, ANDRADE and the NAC have not made any meaningful progress towards
19 developing AtenCoin, AML Bitcoin, or ABTC.

20 17. VICTIM ONE would not have invested in the cryptocurrency had they known the funds
21 would be used to purchase the defendant property. ANDRADE used the proceeds of the scheme to defraud
22 described above to purchase the defendant property.

23 CLAIM FOR RELIEF

24 18. The United States incorporates by reference the allegations in paragraphs 1 through 12 as
25 though fully set forth herein.

26 19. Title 18, United States Code, Section 1343 prohibits a person from devising or intending
27 to devise a scheme or artifice to defraud, or to obtain money or property, by means of wire, radio, or
28 television communication in interstate or foreign commerce.

20. Title 18, United States Code, Section 1956(a)(1)(B)(i) prohibits a person from knowingly conducting or attempting to conduct a financial transaction involving the proceeds of a specified unlawful activity knowing that the transaction is designed, in whole or in part, to conceal or disguise the nature, location, source, ownership, or control of the proceeds of the specified unlawful activity.

21. Title 18, United States Code, Section 1956(c)(7) incorporates the crimes listed in Title 18, United States Code, Section 1961(1) as “specified unlawful activities.” Wire fraud is one of the crimes listed in Title 18, United States Code, Section 1961(1), and is thus a specified unlawful activity.

22. Title 18, United States Code, Section 981(a)(1)(A) provides for the forfeiture of any property, real or personal, involved in a transaction or attempted transaction in violation of Title 18, United States Code, Sections 1956, 1957, and 1960, or any property traceable to such property.

23. Title 18, United States Code, Section 981(a)(1)(C) provides, in relevant part, for the forfeiture of any property, real or personal, which constitutes or derives from proceeds traceable to any offense constituting a specified unlawful activity.

24. In light of the foregoing, and considering the totality of the circumstances, there is probable cause to believe that the Defendant Property represents property both involved in wire fraud and money laundering, as well as the proceeds of wire fraud, in violation of Title 18, United States Code, Sections 1343 and 1956. The Defendant Property listed herein is thus subject to forfeiture under Title 18, United States Code, Sections 981(a)(1)(A), (a)(1)(C).

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1 WHEREFORE, plaintiff United States of America requests that due process issue to enforce the
2 forfeiture of the above listed Defendant Property; that notice be given to all interested parties to appear
3 and show cause why forfeiture should not be decreed; that judgment of forfeiture be entered; that the Court
4 enter a judgment forfeiting the Defendant Property; and that the United States be awarded such other relief
5 as may be proper and just.

6
7 DATED: March 16, 2020

Respectfully submitted,

8 DAVID L. ANDERSON
United States Attorney

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11 CHRIS KALTSAS
LLOYD FARNHAM
ANDREW DAWSON
12 Assistant United States Attorneys
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EXHIBIT B

EXHIBIT B (LEGAL DESCRIPTION)

LOT 8, BLOCK 1, SIENNA VILLAGE OF DESTREHAN SECTION 9B, A SUBDIVISION IN FORT BEND COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT NO. 20170063, MAP AND/OR PLAT RECORDS, FORT BEND COUNTY, TEXAS.